

REMARKS

Applicant thanks Examiner Randall for review of the pending claims. In this Amendment and Response, Applicant has amended claim 10 and 19. Claims 1, 20-25 and 28 have been canceled. Dependent claims 31-33 have been added. Thus, claims 10-11, 19, and 27-33 remain pending in this application.

For at least the following reasons, the rejections of all pending claims should be withdrawn and the claims should be passed to issue. While this paper is believed to completely address all pending rejections, Applicant reserves the right to set forth other reasons supporting the patentability of the claims, including reasons supporting the separate patentability of dependent claims not explicitly addressed herein, in future papers.¹ Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

I. Claim Rejections Under 35 U.S.C. § 103

A. Claims 1 and 21-23 in view of Marker, Brenner and Falkenhausen

Claims 1 and 21-23 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hans Marker (US 1,190,661 – hereinafter “Marker”) in view of Brenner (US 3,503,481 – hereinafter “Brenner”) and Von Falkenhausen, et al. (US 7,484,640 – hereinafter “Falkenhausen”). As all of these claims have been canceled at this time without prejudice or disclaimer, the rejection is now moot.

B. Claims 10, 19, and 28 in view of Marker, Brenner and Lundberg

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome any rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

Claims 10, 19 and 28 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Marker in view of Brenner and Falkenhausen and further in view of Lundberg (US 1,312,449 – hereinafter “Lundberg”). Applicants respectfully traverse the rejection. As an initial matter, claims 10 and 19 have been amended to depend from allowed claims 30 and 29, respectively. Accordingly, these claims are now in condition for allowance. Claim 28 has been canceled without prejudice or disclaimer. Accordingly, the rejection is now moot with respect to claim 28.

C. Claim 11 in view of Marker, in view of Brenner, Falkenhausen, Lundberg, and further Vanjo

Claim 11 depends from claim 10, which has been amended to depend from allowed claim 30. Accordingly, claim 11 is now in condition for allowance.

D. Claim 20 in view of Marker

Claim 20 has been canceled without prejudice or disclaimer. Accordingly, the rejection is now moot with respect to claim 20.

E. Claims 24-25 in view of Marker in view of Coleman

Claims 24-25 have been canceled without prejudice or disclaimer. Accordingly, the rejection is now moot with respect to claims 24-25.

II. Allowable Subject Matter

Applicant thanks the Examiner for the indication that claims 29 and 30 were allowed. While not rejected, Applicants note that claim 27 was previously amended to depend from claim 29. Accordingly, claim 27 is also believed to be patentable. All previously pending dependent claims have been amended to depend either directly or indirectly from either claim 29 or 30.

Further, new dependent claims 31-33 are presented herein. New claim 31 depends from allowed claim 29 and includes the limitation previously presented in claim 1 that the plate is

vertically mounted on the frame. New claim 32 depends from claim 30 and includes the limitations previously presented in claim 19. New claim 33 depends from claim 30 and includes the limitations previously presented in claim 27. Accordingly, no new matter is presented and the newly presented claims are in condition for allowance.

CONCLUSION

In view of the above amendments and remarks it is respectfully submitted that the claims are in condition for allowance. Re-examination and allowance are, therefore, respectfully solicited. In the event the Examiner deems that outstanding issues remain, he is respectfully requested to telephone the undersigned attorney in an effort to resolve such issues.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 66599-0005 from which the undersigned is authorized to draw. To the extent necessary, a petition for extension of time under 37 C.F.R. §1.136 is hereby made, the fee for which should also be charged to this Deposit Account.

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Respectfully submitted,

Electronic signature: /Kristin L. Murphy/
Kristin L. Murphy
Registration No.: 41,212
RADER, FISHMAN & GRAUER PLLC
Correspondence Customer Number: 10291
Attorney for Applicant